

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:20 CR 76**

UNITED STATES OF AMERICA)	
)	
v.)	ORDER
)	
JOE LINDSEY TAYLOR, III)	
a/k/a "Yosef Hakiem Bey")	
_____)	

This matter is before the Court regarding the issue of counsel. This Order memorializes an oral ruling entered on September 2, 2020.

On August 4, 2020, a Bill of Indictment was filed charging Defendant with a single count of violating 18 U.S.C. §922(g)(1).

Defendant was arrested on August 29, 2020 and made his initial appearance before the undersigned on August 31, 2020. Assistant Federal Public Defender Emily Jones appeared with Defendant at his initial appearance. Assistant United States Attorney Daniel Bradley appeared for the Government. Defendant was advised of his rights and the charge pending against him as well as the maximum possible penalties. With respect to counsel, Defendant did not complete a financial affidavit and stated that he wished to represent himself. The Court then asked numerous questions of Defendant to determine whether the waiver of his right to counsel was knowing and voluntary. Upon completion of that process and after giving Defendant the opportunity to confer with Ms. Jones, Defendant's waiver was accepted. The Court however, and over Defendant's objection, directed that the

Federal Defender's Office assign standby counsel for Defendant. The Government moved for pretrial detention and requested a continuance of the hearing on that motion. Defendant made a general objection, which was overruled, the Government's request was allowed, and Defendant's arraignment and a hearing on the Government's motion for detention were scheduled for September 2, 2020. Later on August 31, 2020, Assistant Federal Public Defender Mary Ellen Coleman was assigned as Defendant's standby counsel.

On September 2, 2020, the matter came before the Court for arraignment and detention hearings. Mr. Bradley once again appeared for the Government. Ms. Coleman appeared with Defendant. When the case was called and before the Court addressed arraignment and detention, the undersigned again advised Defendant of his right to remain silent and his rights regarding counsel. The undersigned also again questioned Defendant to determine whether he wished to continue appearing pro se and if his choice remained knowing and voluntary. During that colloquy, Defendant advised that he, in fact, did now wish to be represented in this matter. Defendant was then given an opportunity to confer with Ms. Coleman, who subsequently presented a financial affidavit on Defendant's behalf and confirmed that he did now seek appointed counsel.

Having reviewed Defendant's financial affidavit, and based upon his statement in open court, and as confirmed by Ms. Coleman, that he does now wish to be represented, Defendant's request is **GRANTED** and Ms. Coleman is **APPOINTED** to appear as counsel for Defendant in this matter.

Signed: September 2, 2020

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf
United States Magistrate Judge

